

Life Cycle of a Unpatented Mining Claim/Site

Prospecting and Research
Determine if the land is open to location and mineral entry by researching prior to staking a claim. It is strongly advised that you choose a different location if there is an active mining claim on the land.

Stake the Claim
Mark the four corners & discovery point with wooden posts or stone cairns. Colorado regulations require six posts, one at each corner and one at the center of each side line.

Certificate of Location (COL)
Prepare a certificate of location
Filed first with the local county recording office
Then file with the Bureau of Land Management (BLM) Colorado State Office

Deadline for recording COL

- BLM: 90 days
- County:
 - 30 days for placer
 - 90 days for lode & mining sites.

File COL with BLM Colorado State Office
Pay proper processing fees to file

- \$37 Location Fee (refundable)
- \$20 Processing Fee (non-refundable)
- \$155 Maintenance Fee (refundable) **

Total fees for a lode or a 20 acre placer mining claim or a mining site is: \$212

**Association placer mining claims: the \$155 maintenance fee is due for each 20 acres or portion thereof within the claim.

At a future date, a land status determination will be done on the claim, and claimant will be notified of any discrepancies.

Annual Maintenance Fee Requirement

- No reminder notifications from BLM
- Fee is due before September 1 each year.
- BLM Form 3830 can accompany payment

Maintenance Fees

- Lode mining claims or mining sites are \$155 per claim/site (Form 3830.5).
- Association placer claims are \$155 per each 20 acres or portion thereof within the placer claim (Form 3830.5a).

If you own 10 or fewer claims nationwide, you may file a Small Miner Maintenance Fee Waiver Certification (Form 3830-2).

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County Filing is Required by December 30

- File proof of payment or an Affidavit of Labor form stating "I have paid the maintenance fee in lieu of performing assessment work"

The assessment year is from September 1 through September 1

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Small Miner's

- Maintenance Fee Waiver Certification (Form 3830-2) is due on or before September 1
- The waiver is for the upcoming assessment year, not the current assessment year
- All claimants & related parties must only hold interest in 10 or fewer mining claims/sites nationwide throughout the entire assessment year to qualify as a small miner.
- The small miner status (10 or fewer claims nationwide) must be maintained the entire assessment year.
- If you or related parties obtain interest in over 10 claims nationwide at any time during the assessment year, the small miner status will be revoked and maintenance fees will be due.
- The most current Maintenance Fee Waiver Certification (Form 3830-2) is the only acceptable form
- This form must have original signatures of all claimants of record
- There is no fee to file this form with the BLM
- A \$100 worth of assessment work and the filing of an affidavit of assessment with the \$10 per claim processing fee is required on each mining claim covered by the waiver.
- Mill sites and tunnel sites covered by a waiver no work is required however filing a notice of intent to hold with the \$10 per site processing fee is required.

\$100 Assessment Work Requirement

- The Maintenance Fee Waiver Certification (Form 3830-2) has a requirement that either an affidavit of assessment work or a notice of intent to hold along with the processing fee of \$10 per claim be filed by December 30 in the calendar year in which you filed the waiver, which must also be the same year that you have performed the work required.
- Mining claims have a \$100 of assessment work that must be done on each claim covered by the waiver, every year the maintenance fees are waived, and the affidavit of labor is the proper form that must be filed.
- Mill sites and tunnel sites no work is required, and the notice of intent to hold is the correct form to be filed.
- Affidavit of Assessment Work (Form 3830-004) is available for your use.
- There is no official form for the notice of intent to hold.
- No assessment work is due during the first assessment year your claim is filed, therefore a notice of intent to hold must be filed if you file a waiver for the upcoming assessment year.

County Filing is Required by December 30

- Affidavit of Labor form and/or Notice of Intent to Hold form must be filed.

Switching Status

Payment of Maintenance Fees to/from Small Miner Maintenance Fee Waiver



- If you paid maintenance fees the previous year and are now switching to filing a waiver, a Notice of Intent to Hold is due by the end of the calendar year that you filed a waiver.
 - The upcoming year the \$100 work requirement will be due for the assessment year covered by the waiver.
- If you filed a waiver the previous year, and are now paying maintenance fees for the upcoming year, the \$100 work requirement is still due for the past year (current year) covered by the waiver.
 - The affidavit of assessment work must be filed by the end of the current calendar year which would be the same year in which the work requirement was fulfilled.

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Additional Information

- Mining claim/site corners must have a monument on the ground.
- Only when a claimant files the certificate of location (COL)/& map with \$212.00 (or more if required) at BLM state office will a CMC number be assigned to the claim, a case file created, and the information entered in LR2000.
- The claimant must record the COL and map with the county clerk and recorder office, and provide the BLM state office with proof of recording; the county #'s are entered into LR2000.
- Upon receipt, the claim goes through a preliminary adjudication, review for defects on the COL such as:
 - obvious acreage errors, mainly with association placers
 - Mailing address's listed for numerous claimants
 - Missing legal description information on COL or map
 - Location date either missing or it is over 90 days from the date of filing
- A "notice of recordation" letter is sent to the claimant with copies of the filing, and a receipt.
- Land Status is performed to confirm the area is open to mineral entry.
- Claimant is required to fulfill annual assessment, either by paying the maintenance fee or qualifying/filing for a small miner waiver & performing \$100 worth of work on the claim.